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Security Council

Sixtieth year

Provisional

5123rd meeting

Wednesday, 16 February 2005, 10 a.m.
New York

President:	Mr. Adechi	(Benin)
Members:	Algeria	Mr. Benmehidi
	Argentina	Mr. Mayoral
	Brazil	Mr. Valle
	China	Mr. Wang Guangya
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Oshima
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mrs. Patterson

Agenda

The situation between Iraq and Kuwait

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05-23985 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

The President (*spoke in French*): I should like to inform the Council that I have received a letter from the representative of Iraq, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Sumaida'ie (Iraq) took a seat at the Council table.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I would like to welcome the presence of the Secretary-General, Mr. Kofi Annan, at this meeting.

At this meeting the Security Council will hear a briefing by Mr. Kieran Prendergast, to whom I now give the floor.

Mr. Prendergast: The simultaneous holding of three elections in Iraq on 30 January 2005 — for the Transitional National Assembly, 18 governorate councils and the Kurdistan National Assembly — was a momentous event for Iraqis and for the international community. Although only a first step, it marks a significant development in Iraq's transition to democratic government, as outlined in Security Council resolution 1546 (2004).

Despite attempts at violent disruption, turned out in large numbers to exercise their ri vote. On election day, the Secretary-General tribute to the courage of the Iraqi people congratulated the Independent Electoral Comm of Iraq as well as the thousands of Iraqi el workers and monitors, on having carried out elections within such a limited time frame and such challenging circumstances. The succ conduct of the elections has rightly been met positive responses, both inside and outside including from the Council.

The elections met recognized standards in of election organization, regulations and proce The assessments of Iraqi and international obs indicate overall satisfaction with the conduct polls. The number of serious irregularities complaints conveyed to the Independent El Commission has been relatively small, an complaints are being investigated and addressed Commission.

The results announced on 13 February conf overall turnout of more than 8 million voters f elections to the Transitional National Assembl shall have to await the final certification of resu the Commission in order to have the final alloca seats and thus know the breadth of the spectr political representation. The electoral syste proportional representation with a single n constituency — was chosen precisely with the facilitating a wide range of representation. Bu clear that, for whatever reason, turnout was l areas with a high percentage of Sunni Arabs.

We are pleased that the Iraqis were able t elections despite all the difficulties. The election an important staging post, successfully reached, long and difficult process of political transition. proud of the role played by the United N pursuant to our mandate based on resolution (2004). Under the overall responsibility of the S Representative of the Secretary-General, Mr. Qazi, and the able direction of Mr. Carlos Valer and with the support of the Electoral Assi Division, headed by Ms. Carina Perelli, the Nations electoral assistance team was able to effectively with the members of the Indep Electoral Commission to ensure that all the nec preparations were put in place within a very tigh frame.

The electoral assistance team, which, in addition to United Nations personnel, included experts from the European Union, the United Kingdom, Chile and the International Foundation for Election Systems, provided technical, logistical, financial and administrative assistance to the Commission in a number of key areas.

It is clear from the overall level of participation that the majority of the Iraqi people are committed to the political transition process that the country is undergoing. But regional variations were significant. As I have already noted, the turnout among Arab Sunnis was markedly lower than for other communities. This is something that needs to be addressed if there is to be more complete participation in the constitution-making process and the referendum. In accordance with its mandate, the United Nations stands ready to assist with this effort. The security situation remains fragile and challenging, as demonstrated by the resumption of daily attacks against Iraqis and foreigners alike. However, we hope that the elections will mark a watershed and that success in making the political transition more inclusive will have a positive effect on the security situation.

From our experience in Afghanistan and elsewhere, we have learned that the challenge in any political transition ultimately lies in achieving a sustainable process that leads to an outcome — in this case, a constitution and a legitimately elected parliament and Government — in which all Iraqis feel that they have a stake. This implies a realization by Iraqis that failure to engage in national dialogue and reconciliation could bring strife far more damaging than the compromises either side would have to make under an agreed peace.

The key to forging such a national understanding is the making of the new constitution. Iraq's most immediate challenge is to form a transitional Government that is broadly representative of Iraqi society and to find ways to bring together all Iraqi constituencies in a national effort to define the future of their country. The prospect of a referendum just eight months from now should serve as an important incentive for an inclusive, participatory and transparent constitutional process, given that a two-thirds vote for rejection in three governorates would block the adoption of the new constitution.

Our impression is that Iraqis understand the great responsibility that comes with the drafting of a new constitution. They know that it will affect their lives and those of their children for a long time to come. Some difficult questions are bound to arise, pertaining to the future character of the State and to the relationship among Iraq's diverse communities. These issues concern Iraqis as a people and Iraq as a nation, so it will be important that the new Iraqi leadership signal clearly that each of the country's communities will have the chance to participate in shaping the future of their country. Similarly, all Iraqi constituencies ought to see that they have an interest in articulating a clear and reasonable agenda that contributes constructively to Iraq's constitutional debate.

Already, prominent political leaders in Iraq have signalled their sensitivity to the fact that certain constituencies, particularly among Arab Sunnis and other Arab nationalists, are likely to find themselves under-represented in the Transitional Assembly due to the low turnout in some regions. Those leaders have indicated their determination to assuage any fears of political alienation, including by raising the possibility of inviting representatives of groups that did not, or could not, take part in the elections to participate both in the transitional Government and in the constitution-drafting process. Conversely, some political elements that had urged a boycott or postponement of elections now appear to be insisting that their views must be included in any dialogue and that they have the right to participate fully in the drafting of a permanent constitution.

Meanwhile, Iraqis will expect their Transitional Assembly and Government to deliver on matters of immediate concern to them. As a matter of priority, Iraqis need to be able to go about their lives without fear of terrorism, violence and insecurity of all types. The better and the faster that Iraqi security forces can be trained, the sooner they will be able to assume their responsibilities and fully take charge of the country's security. Equally important, the transitional authorities will need to find ways to improve the daily living conditions of Iraqis by stepping up reconstruction, development and humanitarian activities.

The United Nations has a mandate to assist in all those areas. We are already actively engaged in doing so, and we intend to intensify our engagement as circumstances permit. We know that Iraqis have high expectations of the United Nations.

In the weeks and months ahead, the new transitional institutions of Iraq will need the active support and engagement of the international community. The United Nations has accompanied the Iraqi people and authorities in their political transition thus far. We are determined to continue to do so. It must be, and must be seen to be, an Iraqi-owned and Iraqi-led process. But, in terms of what we can offer, the United Nations has considerable experience in supporting and facilitating transitional processes under difficult conditions.

Iraq has the human and material resources to take charge of its own destiny. Where the international community and the United Nations can, in our view, best contribute to that process is in helping to create enabling conditions for all Iraqis to share and succeed in the political and economic reconstruction of their country. It is important that the various international actors work in a complementary manner with the Iraqis and with one another.

There is a general expectation both inside and outside Iraq that the United Nations will play a proactive role in supporting the constitution-making process, and we look forward to working closely with the elected members of the Transitional National Assembly and with other representatives of Iraqi society. In conformity with resolution 1546 (2004), the United Nations is ready to offer any needed technical assistance and public information support, as well as political facilitation.

All of us are aware that developments in Iraq have potentially important implications outside the country. The constitutional debate will be closely watched, especially by Iraq's neighbours. Some of the issues to be negotiated among Iraqis in this process touch upon the security interests of neighbouring countries. It is therefore essential that, just as we work to normalize the situation inside Iraq, every effort should be made to normalize Iraq's relations with the region and with the international community at large. It is especially important that Iraq's sovereignty, political independence and territorial integrity be respected. A sovereign Iraq naturally aspires to regain its rightful place in the community of nations. The Secretary-General, for his part, intends to continue to foster greater regional and international convergence in support of Iraq's political transition and the United Nations role.

No one could fail to have been moved by the way that Iraqis went to the polls on 30 January, with courage, determination and confidence in the future of their country. The elections mark an important staging post achieved. The next key steps are the building of a constitution, the referendum due in October and then the holding of a general election. Iraqis look to their leaders to deliver on the promise of a peaceful, democratic and prosperous Iraq with which all Iraqis can identify. The challenges ahead are real; but so too are the opportunities. In fulfilment of its mandate, and circumstances permitting, the United Nations will spare no effort to meet the expectations of the Iraqi people through this critical period of their history.

The President (*spoke in French*): I thank Mr. Prendergast for his comprehensive briefing.

I now give the floor to the representative of Iraq.

Mr. Sumaida'ie (Iraq) (*spoke in Arabic*): At the outset, I should like to take this opportunity to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month and to commend your predecessor, the Permanent Representative of Argentina, for his efforts last month.

I would also like to thank you and the other members of the Council for allowing me to participate in this important meeting, which is being held to follow up on the great achievements made by my country in recent weeks. The Iraqi people have demonstrated to the world their refusal to yield to terrorists or to be driven by the ruthless designs of those terrorists to ignite strife among them, and that they are able and determined to take the risks necessary for their freedom. They also proved, once again, that they alone possess the will to determine their future and to choose the path that meets their aspirations.

Iraq successfully passed through the first gate in its march towards democracy and is determined to proceed with and accomplish the remaining stages prescribed in the Transitional Administrative Law and adopted by the Security Council. Here, I would like to hail the success of the Independent Electoral Commission of Iraq and the Iraqi interim Government for organizing the elections and to salute the courage of all those who contributed to the success of those elections, in particular the members of the Iraqi police and army who provided the security necessary to carry them out. I would also like to express our appreciation

for the active and supportive role of the multinational force.

I also take this opportunity to commend the United Nations for its vital contribution in supporting the electoral process and the Independent Electoral Commission of Iraq, and for the outstanding efforts of the United Nations Electoral Assistance Division to bring the process to a successful conclusion. In addition, I would like to thank the International Organization for Migration for its role in organizing the elections for Iraqis living abroad and to thank the International Mission for Iraqi Elections, which worked to ensure that the elections were carried out in accordance with international standards. We look forward to the continued support of the international community and the United Nations in the stages ahead.

We realize that — as the representative of the Secretary-General indicated — that our electoral venture was not perfect and that, inevitably, it was accompanied by some minor failures. However, that must not divert our attention from the fact that the magnitude of what was accomplished under the current difficult circumstances exceeded even our own expectations. Undoubtedly, we will benefit from that experience in the coming constitutional the elections and those that will follow them. We regret that some parties chose not to participate in the elections, despite the great efforts of the interim Government to convince them otherwise. But we are determined to overcome those difficulties and to include in both the constitutional and the electoral processes all communities that opt for peace, as was recently stated by the leaders of the main parties and coalitions that were elected to the Transitional National Assembly by the people. The Transnational National Assembly is on course to select a Government that represents the Iraqi people in all its diversity.

We look forward to the Transitional National Assembly achieving the next important task: writing Iraq's constitution in an inclusive manner that will ensure the participation and involvement of the Iraqi people, reflecting its rich mixture of cultures and beliefs. For our part, we will do our utmost to bring together all available Iraqi and international expertise in that field to accomplish the task in a manner that will strengthen our national unity and will embody the human values and noble goals of our new Iraq.

The challenges and difficulties that will face the Elected Iraqi Government are enormous. Among them is rebuilding the Iraqi army and police, to protect Iraq's internal and external security, and to deter the threats Iraq faces. Iraq has become an arena for terrorists and forces of darkness whose destructive objectives cut across the most cherished aspirations and interests of the Iraqi people. We commend, in this regard the multinational force for its role, in accordance with its Security Council mandate, in helping us rebuild our army and police, and in training and supporting them when carrying out their mission.

The Iraqi Government will face yet another challenge, and that is the reconstruction of Iraq and activation of its economy, in which it will need the support and assistance of the international community. Iraq's infrastructure is in ruins and will need enormous efforts to be repaired. It is essential that we provide the basic services and employment opportunities that will make life more tolerable for its citizens, thereby helping to bring social stability. This will largely depend on reviving and priming the Iraqi economy.

In this respect, I would like to express our appreciation for the generous contributions of friendly States, and for the role of the United Nations and its agencies in coordinating international contributions and implementing the reconstruction projects, in cooperation with the relevant Iraqi ministries. I would like to take this opportunity to call upon Iraq's friends to deliver on their pledges made in the Madrid donors conference, and to assure them that the Iraqi people will always bear in mind these noble initiatives.

In conclusion, I would like to assure the Council that Iraq is living in a new era that stands for the principles of democracy, freedom of expression, respect for human rights, adherence to international law and building sound relations with its neighbouring countries, based on mutual respect and non-interference in their internal affairs. Consistent with this vision, we are endeavouring to restore Iraq's natural role in the international community. We appreciate the Council's efforts to support the Government and people of Iraq and help Iraq to get back on its feet and take its natural position as a responsible member of the international community.

We hope that this effort will be consolidated through a programmed and rapid removal of the punitive measures and restrictions that were imposed

on Iraq because of the reckless policies of the previous regime.

The President (*spoke in* French): I thank the representative of Iraq for the kind words addresssed to me.

In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.45 a.m.